

**Submission
No 192**

INQUIRY INTO PUPPY FARMING IN NEW SOUTH WALES

Name: Mrs Patrick Murphy

Date Received: 5 March 2022

Select Committee on Puppy Farming in New South Wales

NSW Parliament House

Macquarie Street Sydney, NSW

via - <https://www.parliament.nsw.gov.au/committees/listofcommittees/Pages/committee-details.aspx?pk=276#tab-submissions>

Dear Committee,

Thank you for establishing this inquiry into puppy farming in New South Wales.

I welcome the opportunity to make a submission on this industry.

Allow me to address the terms of reference of this inquiry and respond to some of those points individually.

1. That a select committee be established to inquire into and report on puppy farming in New South Wales, and in particular:

(a) the provisions of the Companion Animals Amendment (Puppy Farms) Bill 2021, (<https://www.parliament.nsw.gov.au/bill/files/3885/First%20Print.pdf>)

There are several important points made in relation to the abovementioned bill, all of which seem sensible and reasonable. The important things to note are things to do with New South Wales puppy farm operators being unscrupulous. These operators need to be banned from the industry as soon as possible, as operators and animals will be worse off under these irreputable types of people.

There is also the welfare of animals in the “care” of puppy farms.

Currently there seems to be a wild west attitude towards puppy farming, where justice to animals is only acted upon in the most egregious of circumstances towards the animals. Making sure the unethical operators are driven out of the industry should be an easily accomplished action is very important for all concerned.

(b) the animal protection issues associated with puppy farming,

Some of the animal protection issues that need to be looked at in relation to puppy farming are:

* Provide information to the purchaser on where to get their animal desexed.

Currently there are millions of dogs and cats in council pounds around the state, and indeed around the country. There appears to be no end in sight to these numbers, with all likelihood those numbers will continue to increase. In reality we should be encouraging a decrease in the number of animals in pounds, as there is too much strain on the operators, council regulators, rate payers and the needless killing of animals. If animals were desexed as soon as practicable this would mitigate the excessive costs to the community, animals, carers and ratepayers. There are plenty of dogs and cats being kept on community land, they aren't exactly going extinct. They are precious and need to be treated as such, not just a disposable commodity that can be given as a Christmas present, then dumped at a pound a few months later, only to have its life ended by euthanasia.

* Known health issues related to breeds to be addressed and mitigated

Breeders knowingly breed and sell animals with hereditary defects, such as pugs with eye problems, French bulldogs with breathing problems. Many breeds with hip and knee problems. These breeds are sold to a somewhat unwitting public who aren't fully aware of the extent of the problems associated with the breed of dog they are purchasing. Then; when the problems start to surface and the vet bills and medication starts to cost the owners a small fortune, there comes a time where they are left with the all too familiar decision to end the animal's life prematurely. If only the breeds and the "bloodlines" were as "pure" as they were advertised, then all this expense and heartache could have been avoided.

- * Number of animals on the premises

There needs to be a strict and enforceable number of animals on the premises at any one time. Not only fertile animals, but the total number of animals. There is no reason to have dozens of animals on a premises as a breeder, because you should structure your business in a more professional and organised manner. Their income is derived out of exploiting the reproductive system of animals. This means their income will be seasonal, due to that fact; they should realise a personal budget is a highly important tool for running these types of businesses. There should be no reason they should be crying poor to the government or council all the time. As a matter of fact, breeding should not be their only source of income, they should have a supplementary income, and the income from breeding should only be a top up type of income. It should be recognised that breeding animals for profit is an unethical type of income. It should also be noted that breeders don't "love their animals", because they exploit them for profit and sell the offspring at the first change they get. Nobody who truly loves an animal sells them for money (or in the case of other animal industries, sells it to be killed).

- * Tracking bloodlines of dogs and breeding records

If dog breeders had a central database they could share with other breeders and consumers, everyone could keep track of what sort of health problems each dog, and bloodline had, then they could selectively breed out that undesirable trait from that breeds bloodline and **truly** become a "responsible breeder" who had the best interest of the dog and breed in mind.

- * Define what a responsible breeder is; what criteria they have to meet.

The term "responsible breeder" is loosely thrown around without meaning or definition. It is a specious claim not backed by any substantial definition, it is merely an advertising tool, which casts an imaginary scenario in to the consumer's mind. There needs to be certain defined criteria that means something. The term at the moment means absolutely nothing.

[\(c\) the consumer protection issues associated with the sale of dogs from puppy farms online and in pet shops,](#)

- * Selling faulty products

As mentioned earlier, breeders knowingly breed and sell animals with hereditary defects, such as pugs with eye problems, French bulldogs with breathing problems. Many breeds with hip and knee problems. These breeds are sold to a somewhat unwitting public who aren't fully aware of the extent of the problems associated with the breed of dog they are purchasing. Then; when the problems start to surface and the vet bills and medication starts to cost the owners a small fortune, there comes a time where they are left with the

all too familiar decision to end the animals life prematurely. If only the breeds and the “bloodlines” were as “pure” as they were advertised, then all this expense and heartache could have been avoided. Breeders need to be accountable not only under Australian Consumer Law for **knowingly** selling faulty products (as per the definition in the ACL, not my personal definition), as they should be aware of the congenital problems with the breed of dog they are selling, if they don’t, then they are irresponsible in their duty as a breeder. The breeders should be bound by a 100% money back guarantee to the purchaser, **plus** any ongoing medical costs involved in treating the animals congenital condition, which the breeder should have known about.

[\(d\) the adequacy of the current legislative and enforcement framework, including the Animal Welfare Code of Practice - Breeding of Dogs and Cats,](#)

* Enforce the regular washing and grooming of breeder animals.

Quite often breeders don’t look after the best interest of the dogs and cats they use as breeding machines. There have been many instances of neglected animals, who have not been washed or groomed for years. I have seen images of these neglected breeding machines and can tell you; they are truly haunting. If a breeder is neglecting their dog or cat, it proves they don’t “love their animals”, as they claim, they are only interested in turning over litter after litter and reducing the costs of caring for the animals. All too often buyers aren’t shown the parents of the puppies they are buying, and that suits these types of breeders quite nicely. If a potential purchaser was to see some of the squalid conditions these animals were bred in, there is no way they would continue with the purchase.

* Exercising the animals

There is little incentive for breeders to let the animal’s exercise. A lot of them are kept in cages for more hours of the day than they are “allowed” out, to express their natural behaviours, like playing, chasing, digging and running.

* Help to make their environment as natural as possible.

The housing and environment dogs and cats are kept in should be as close to natural as possible. They should have access to plenty of grassed area. Places to run and play. Places to explore and have their fellow companions present to keep them company. The cage only, poorly sheltered method of keeping animals in, is a poor way to keep animals, they crave attention from other animals as well as humans. We should keep them in an environment that is as comfortable as possible for them.

* Protect them from the elements, particularly during the winter and summer months.

I have seen animals kept without protection from the elements, sitting curled up on wet bedding or mats, that have been soaked by the cold winter rain, with the wind and rain blowing in on them, freezing their defenceless bodies, when all that was needed, was a little bit of corrugated iron, fibreglass, some marine grade plywood some insulation or better padding around their kennels (or in some cases cages).

In summer, there are some dogs that have been kept outdoors in 40+C temperatures. They are very thirsty, suffer heat stroke and often die from heat exhaustion. There should be mandatory standards of accommodation for housing dogs. If we could use the scenario; “would you like to spend a week in here in this weather?” as a guide for breeders to use,

as a test to see if the accommodation passes that test, then we should be heading down the right path.

* Do not allow "Rape racks"; these are where the female is bound to a metal structure (or similar) and is unable to escape sexual penetration from a male dog.

I have not personally seen these rape racks in use in Australia, but I have seen images of them. I believe these are rare, but more than likely do exist. If they do exist, I would like to see them banned in legislation.

(e) the extent to which the recommendations of the 2015 Joint Select Committee on Companion Animal Breeding Practices in NSW have been implemented by the NSW Government,

No comment on this matter.

(f) the impact of the NSW Government Consultation Paper 'Licensing and regulation of cat and dog breeders',

No comment on this matter.

(g) the impact and effectiveness of the NSW Government 'Puppy Factory Taskforce' announced on 23 October 2020,

No comment on this matter.

(h) the impact and effectiveness the Domestic Animals Amendment (Puppy Farm and Pet Shops) Act 2017 (Vic) on puppy farming in Victoria, and the consequences for the puppy farming industry in NSW,

No comment on this matter.

(i) the challenges faced by local councils in respect to development applications for puppy farms,

* Environmental noise

Councils face environmental noise challenges from dogs in particular. Quite often these come from two main reasons of dogs barking;

- 1) There are too many dogs on a premises, or
- 2) The dogs lack stimulation and are bored.

As mentioned earlier, dogs need to live their lives in, as natural of and environment as possible. If this can be achieved, then the noise complaints from neighbours can be avoided.

* Consideration of neighbours

Neighbours need to be considered whenever a development application is logged with the local council. Dogs, do bark, and particular breeds bark more than others. If neighbours object to an excessive number of dogs on a premises barking as a potential to oppose the approval of a breeding facility, then council should reduce the amount of dogs on that property or decline the application.

* Run off of faeces and urine

Some large breeding facilities can have excessive amounts of faeces and urine present, the smell, particularly in summer can be overwhelming. There needs to be a plan in place to mitigate this run off or smell and if there is no way to mitigate it, then the number of dogs kept on the premises needs to be reduced.

- * All businesses to be registered and have that information available to the public on an easily accessible database.

The public has a right to know what sort of business is registered in their community. It happens with a number of other industries, so this should be extended to the breeders as well. The information contained on a public database should include the breed of dog / cat. The number of animals kept on the premises at any one time. What is the expected length of stay of those animals, etc.

[\(j\) legislative and other measures that could be implemented to stop or reduce puppy farming in NSW, and](#)

- * Breeding sites to be declared "Biosecurity risks" in the same way farm animals are declared "Biosecurity risks".

If one form of animal breeding business can declare their site a "Biosecurity risk" then shouldn't dog and cat breeders fall into that category too?

- * Ban selling of dogs and cats whilst there are dogs and cats available at pounds/ shelters/ kennels within a reasonable distance to them. (25km City, 50 km Regional, 100km Rural)

One of the main problems I outlined earlier was the sheer number of dogs and cats kept in local pounds around the state and the country. One way to reduce this problem is to stop allowing breeding of animals until the pounds are empty. Doing this would solve a large range of problems, such as; the strain on the operators, council regulators, rate payers and the needless killing of animals. The question has to be asked (and answered) why are we allowing breeding of dogs and cats, when the pounds are overflowing with them? These animals are in excess in the community, yet we are encouraging and promoting the problem... this is ludicrous.

- * Have any conflicts of interest between enforcement officers and breeders declared.

We have to have transparency when it comes to any perceived or actual conflicts of interests between the enforcement officers and breeders. Therefore, there should be a declaration of conflict of interests between these two groups.

- * Limit the number of animals that can be sold each year - this should encourage care for the breed of dog or cat, help to avoid excessive exploitation and give better customer guarantees to purchasers. Having no limits on the amount of breeding that can be done is a recipe for disaster; things like neglected animals, overbreeding and ruined bloodlines; all add to the cost to the community and to the animals as well as the customers.

- * Keep a record of the number of dogs / cats that have been bred and the number of the litters that have been sold or died. If there is a high number of animals that have died, either the breeder is irresponsible or fudging the figures to avoid tax.

This will encourage transparency and help to ensure that either, the dogs aren't dying due to poor practices, or the breeders aren't overbreeding, then claiming expenses as a tax deduction.

- * Keep records of the names of the purchasers, to limit and or identify repeat purchasers that could be using dogs for illegal dog fighting or on selling the dogs / cats to circumvent laws.

- * Have strict conditions to be met, and provide minimum 5-year bans for breeders who have been found to be negligent or abusive to animals in their care.

As stated in the Companion Animals Amendment (Puppy Farms) Bill 2021. It is important that breeders be of good character (albeit they breed and exploit animals for profit). Some of the characteristics to avoid are the sort of people who have *"given false or misleading information in making an application under this Division, or*

does not have sufficient qualifications or experience in caring for companion animals, or is otherwise not a fit and proper person to conduct the business."

[\(k\) any other related matter.](#)

The key thing here is; there is no need for animal breeders to be in business when the pounds are full of unwanted, unloved animals. It is a whole unnecessary industry built upon the exploitation of animals as a commodity, simply in the name of profit. Surely there can be much more ethical way to make living.

Yours sincerely,

Patrick Murphy.